

SECTION 32 BEST PRACTICAL MITIGATION

A. Introduction

Title 35-A M.R.S. § 3459 (1-A) requires applicants for wind energy projects to submit information on best practical mitigation for all aspects of the construction and operation of the generating facilities. Best practical mitigation means methods or technologies used during construction or operation of a project that control or reduce, to the lowest feasible level, impacts to wildlife or scenic resources. Although the MDEP has not yet adopted rules pursuant to this requirement, this section demonstrates, with cross references to the appropriate sections of the application, that the Project meets the requirements for best practical mitigation.

B. Potential Impacts to Wildlife Resources

Impacts to wildlife resources have been avoided and minimized to the greatest practicable extent through responsible siting of the facilities, considering impacts to both habitats within a broader context and individual species documented within the Project area. A detailed discussion of wildlife habitat impacts can be found in Section 7 (Wetlands, Watercourses, Wildlife and Fisheries).

No known or potential hibernacula or roost trees have been documented in the Project area or within 3 mi. However, MDIFW's Maine Wind Power Guidance (MDIFW 2018) recommends curtailment as a protective measure for bats for all wind development projects in Maine. The Applicant proposes that turbines operate only at cut-in wind speeds exceeding 6.0 m/s each night (from at least half an hour before sunset to at least half an hour after sunrise) from April 15–September 30, whenever the ambient air temperature is at or above 32 degrees Fahrenheit. Turbines will be feathered during curtailment and allowed to turn at no more than one revolution per minute to minimize risks to bats.

Formal post-construction fatality monitoring for bats or birds is not proposed. However, Project staff will record all discovered mortalities of bats and birds in an annual log. If possible, carcasses (especially bats) will be collected, stored in plastic bags, and frozen with labels noting the date, time, and nearest turbine number to which it was found. The Applicant will apply to MDIFW for the appropriate permits for the salvage and temporary possession of such specimens. Any bat carcasses or any incident where more than 10 bird carcasses are found during any inspection will be reported to MDIFW and MDEP within 24 hours.

Northern spring salamander surveys confirmed their presence in Bassett Brook, and their presence is assumed in a nearby tributary to Bassett Brook. The existing crossing structures at both locations are undersized and not adequate to allow uninterrupted migration of northern spring salamander or other aquatic species upstream. The Applicant plans to replace these crossings with open bottom box culverts that will be a minimum of 1.2 times bank full width of the streams to improve stream connectivity. In addition, significant improvements will be made to the Chase Pond Road near the location of these two crossings. This section of Chase Pond Road is on a slight grade and frequently washes out during large rain events and spring snow melt. The civil road design proposed for this location will provide improved drainage, appropriately sized and vegetated ditches, and undisturbed buffer areas on both side of Bassett Brook and its unnamed tributary.

During construction, wildlife habitat impacts will be minimized by using methods that minimize disturbance. For example, to the extent practicable, clearing within wetland areas will use hand-cut methods or clearing will occur during periods of frozen conditions when many wildlife species are absent or dormant. Another critical component of minimizing resource impacts is implementation of an effective erosion and sediment control plan. The Applicant's preliminary erosion and sediment control plan is detailed in Section 14 (Basic Standards Submission) and is reflected on the civil design plans included in Exhibit 1-1 (Civil Engineering Plan Set). The civil design plans also illustrate the Applicants efforts to minimize impacts in and around resource areas by limiting construction clearing to maintain

natural stream and wetland buffers to the greatest extent possible. The limitation on clearing and other construction activities within these areas is described in more detail in Section 12 (Stormwater Management) and Exhibit 12-1(Stormwater Management Plan).

During Project operations, impacts to wildlife habitats will be minimized through vegetation management practices that promote the long-term growth of healthy, native, and diverse ground cover habitat. The maintenance of cleared areas impacted by construction as well as a detailed plan to address the high densities of invasive species identified within the former radar facility property are detailed in the Project's Vegetation Management Plan (VMP) contained within Exhibit 10-1 (Post-Construction Vegetation Management Plan). More restrictive maintenance practices apply within wetland and stream buffers including the prohibition on the use of herbicides within these sensitive resource areas.

C. Potential Impacts to Scenic Resources

Impacts to scenic resources have been avoided and minimized to the greatest extent practicable through careful siting and design of Project facilities. As detailed in the VIA provided in Exhibit 30-1 (Visual Impact Assessment), the Project will have only minimal, and quite distant, visibility from three SRSNS: Arnold Trail, Moxie Pond and the Kennebec River. Based on the VIA, the Project has demonstrated that it will not have an unreasonable adverse impact on scenic values and existing uses of the three SRSNSs identified.

The Project will use an ADLS designed to minimize the visual effects of the aviation warning lights mounted on the nacelles. Such systems are approved by the FAA on a project-by-project basis and allow turbine obstruction lights to remain off unless an aircraft is operating in the vicinity of the Project, thus greatly reducing the time that nighttime lighting is visible. Standard turbine lighting will be installed and tied into the radar-assisted lighting system upon approval of the system by the FAA. Additional detail on the lighting is provided in Section 27 (Public Safety).